

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**SB 2988 - HB 3263**

February 19, 2010

**SUMMARY OF BILL:** Requires a sexual offender to receive written permission from a school's principal or a facility's administrator if attending a conference as a parent or legal guardian of a child who is enrolled at the school or facility or to be upon the premises to drop off or pick up a child or children for which the offender is a parent or legal guardian. Creates a Class E felony for all violations of these provisions.

**ESTIMATED FISCAL IMPACT:**

**Increase State Expenditures – \$5,700/Incarceration\***

Assumptions:

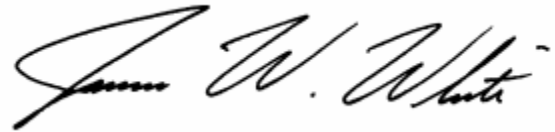
- According to the Department of Correction (DOC), the average operating cost per offender per day for the calendar year 2010 is \$59.86.
- According to DOC, requiring sexual or violent sexual offenders who are parents or legal guardians of a child to obtain written permission or a request from the school's principal or facility administrator will result in one additional Class E felony conviction every five years.
- According to the U.S. Census Bureau, population growth in Tennessee has been 1.12 percent per year for the past 10 years, yielding a projected compounded population growth of 11.78 over the next 10 years. No significant incarceration cost increase will occur due to population growth in this period.
- The maximum cost in the tenth year, as required by Tenn. Code Ann. § 9-4-210, is based on one offender every five years. According to DOC, the average post-conviction time served for a Class E felony is 1.31 years (478.48 days). The annualized cost per conviction is \$5,728.36 (0.20 annual number of convictions x 478.48 x \$59.86).
- According to the Administrative Office of the Courts (AOC), there will not be a significant cost to adjudicate violations of these restrictions.

- According to the Board of Probation and Parole, updating tracking procedures and exclusion and inclusion zones will increase the amount of time each officer is required to work each case but will not require additional officers.

*\*Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

## **CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director

/agl